UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,822	10/02/2003	Karl Gartland	FIS920030068US1	1132

7590 06/29/2006

Sean F. Sullivan
Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002

EXAMINER	
ALLEN, NICOLE L	

ART UNIT	PAPER NUMBER
2129	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental **Office Action Summary**	**Application No.** 10/678,822	**Applicant(s)** GARTLAND ET AL.
	Examiner Nicole L. Allen	**Art Unit** 2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 10/2/2003.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-30 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-30 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/2/2003.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> *A person shall be entitled to a patent unless –*
>
> *(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikeda et al (US. Patent. No. 6,853,959).

As per claims 1, 11, 21 and 30 Ikeda et al. discloses an automated manufacturing facility for running automatic production and having a plurality of pieces of automated equipment designed to carry out certain tasks and having interactive control systems, an automated issue resolution (ISR) system for automatically attempting to resolve identified issues that interfere with automatic production, the ISR system comprising:

an automated issue resolution management (ISRM) system for directing attempts to automatically resolve issues including error conditions relating to the automated manufacturing facility, the ISRM system including a plurality of automated components whose operations the ISRM system is operable to coordinate, the components including (Col. 1, lines 52-57, examiner reads operation status of a plant as manufacture).

a first component for automatically checking whether a first reported issue brought to its attention is a recognized issue for which an automatic resolution appears to be available (Col. 1, Lines 49-52, Fig. 5(A) Ref. 70).

a second component for commanding the taking of automated corrective action by a portion of the automated manufacturing facility in response to a reported issue recognized by the first component (Col. 1, Lines 52-57, Col. 6, Lines 58-67).

As per claims 2, 12, and 22 Ikeda et al. discloses an issue resolution system as in claim 1, wherein the ISRM system further includes

a third component for determining whether the automated corrective action appears to have resolved the recognized issue (Fig. 5(A), Ref. S18-20, the corrective action appears to have resolved the issue if a report has been sent to the user).

and a fourth component for logging whether the automated corrective action appears to have resolved the recognized issue(Col. 7, Lines 2-6, Fig. 5(A), Ref. S20).

As per claims 3, 13, and 23 Ikeda et al. discloses an issue resolution system as in claim 1, wherein the second component of ISRM system further includes

a first subcomponent for determining whether an automated corrective action appears to be able to be taken at present (Fig. 5(A), Ref. S 14, the action appear to be able to be taken when emergency support is provided).

a second subcomponent, in communication with the first subcomponent, for advising that an automated corrective action cannot be executed at present (Col. 6, Lines 37-41, corrective action cannot be *executed if the transmission related to the related data is not complete).*

As per claims 4, 14, and 24 Ikeda et al. discloses an issue resolution system as in claim 3, wherein the second subcomponent of second component is operatively arranged for advising via a first message that an automated corrective action cannot be taken because of a condition specifically identified in the first message (Col. 6, Lines 37-41, corrective action cannot be executed if the transmission related to the related data is not complete).

As per claims 5 and 15, Ikeda et al. discloses an issue resolution system as in claim 4, wherein the second subcomponent of the second component is operatively arranged for advising via a second message that an automated corrective action cannot be taken because of at least one piece of automated equipment identified in the second message is not in automatic mode (Col. 6, Lines 37-41, corrective action cannot be executed if the transmission related to the related data is not complete meaning that one piece of equipment is not able to transmit automatically) .

As per claim 6, Ikeda discloses an issue resolution system as in claim 1, wherein the ISRM system further includes at least a plurality of second components which are each respectively dedicated to attempting to resolve of a different recognized issue (Col. 8, Lines 52-58).

As per claims 7 and 17, Ikeda et al. discloses an issue resolution system as in claim 1, wherein the second component of the ISRM system further includes a first subcomponent for providing at least first and second courses of possible automated corrective action (Col. 6, Lines 53-57, Fig. 5(A), Ref. 70, 71), and a *second subcomponent (Fig. 5(A), Ref. 70, 71) for commanding the taking of the first course of possible automated corrective action, and then the taking of the second course of possible automated corrective action if needed (if first course can not resolve the issue, then it moves to the next component to search for other alternatives).*

As per claims 8, 18 and 128 Ikeda et al. discloses an issue resolution system as in claim 1, further comprising

a third component for determining whether the automated corrective action that was commanded appears to have resolved the recognized issue (Fig. 5(A), Ref. S18-20, the corrective action appears to have resolved the issue if a report has been sent to the user).

wherein the third component includes a first subcomponent for providing a first message indicating whether the commanded automated corrective action appears to have resolved the issue (Col. 7, Lines 2-6, Fig. 5(A), Ref. S20)

the second component includes a first subcomponent for providing at least first and second possible automated corrective actions (Col. 6, lines 53-57, Fig. 5(a), Ref. 70-71, there are databases that contain similar errors and operation history)

a second subcomponent for commanding the taking of the first possible automated corrective action, and then commanding the taking of the second possible automated corrective action if needed (Col. 6, Lines 53-57, Fig. 5(A), Ref. 70, 71)

third subcomponent for receiving the first message provided by third component and deciding whether the second subcomponent needs to command the taking of the second possible automated corrective action (if first course(action) can not resolve the issue, then it moves to the next component to *search for other alternatives).*

As per claims 9, 19 and 29 Ikeda et al. discloses an issue resolution system as in claim 8, wherein the ISRM system further includes

at least a plurality of second components as set forth above, but with each being dedicated to attempting to resolve a distinct recognized issue (Col. 8, Lines 52-58)

a command memory for providing information pertinent to possible corrective actions with respect to at least a plurality of distinct recognized issues (Col. 8, Lines 52-58, a recipe is created to assist in finding causes and corrective actions)

a command sequencer for helping generate at least first and second commands to initiate automated corrective actions in sequence as needed (Col. 8, Lines 65-Col 9 line 2).

As per claims 10 and 20, Ikeda et al. discloses an issue resolution system as in claim 8, wherein the ISRM system further comprising

a fourth component for logging for future reference whether an automated corrective action that was commanded appears to have resolved the recognized issue (Col. 7, Lines 2-6, Fig. 5(A), Ref. S20).

a fifth component for providing a message indicating which automated corrective action that was commanded appears to have resolved the recognized issue (Col. 7, Lines 2-6, Fig. 5(A), Ref. S18-20, the corrective action appears to have resolved the issue if a report has been sent to the user).

a sixth component, operatively arranged to receive a message from the fifth component, for logging for future reference at least part of the information contained in such received message (Col. 7, *Lines 2-6, Fig. 5(A), Ref. S20).*

As per claim 25, Ikeda et al. discloses the automated method of recovering from error conditions as set forth in claim 21, wherein the supervisory program has associated therewith a plurality of distinct recognized error conditions for which different sets of corrective commands associated with various automated corrective actions may be used in attempts to recover therefrom, and method further comprises, as part of step (d), the substeps of:

(1) selecting at least a first course of possible automated corrective action, and generating, based at least in part thereon, a first set of commands to initiate the first course of automated corrective action (Col. 6, Lines 53-57, Fig. 5(A), Ref. 70, 71)

(2) in the event that the recognized incoming error condition does not appear to have been corrected in response to the first set of commands, selecting a second course of possible automated corrective action, and thereafter generating, based at least in part thereon, a second set of commands to initiate the second course of automated corrective action (if first course can not resolve the issue, then it moves to the next component to search for other alternatives).

As per claim 26, Ikeda et al. discloses the automated method of recovering from error conditions as set forth in claim 25, further comprising the steps of

(e) for a second incoming error condition that is so recognized in step (b), under the auspices of the supervisory program, accessing information associated with that recognized incoming error condition (Col. 6, Lines 47-53) to enable the generation of at least a first set of automated corrective commands via the supervisory program distinct from the first set of automated corrective commands generated in

response to the first incoming error condition recognized in step (b) (Fig. 5(A), Ref. 76, the other related database holds information not specifically pertaining to a common error making the corrective action distinct from known errors).

(f) under the auspices of the supervisory program, generating at least a first set of commands for initiating automated corrective action to be taken by a portion of the automated factory in an effort to resolve automatically the second recognized incoming error condition (Col. 6, Lines 64-67, Fig. 5(A), Ref. S18).

As per claim 27, Ikeda et al. discloses the automated method of recovering from error conditions as set forth in claim 26, that further comprises the following further steps:

(g) in the event that first incoming error condition does not appear to have been corrected in response to the first set of commands generated automatically to recover from that first incoming error condition, sequentially thereafter automatically commanding the generation of a second set of commands associated with a second course of possible automated corrective action for that first incoming error condition (if first set of commands can not resolve the issue, then it moves to the next component to search the database for other alternatives)

(h) in the event that second incoming error condition does not appear to have been corrected in response to the first set of commands generated automatically to recover from that second incoming error condition, sequentially thereafter automatically commanding the generation of a second set of commands associated with a second course of possible automated corrective action for that second incoming error condition (Fig. 5(A), Ref. S18 and 19, if the analysis and actions taken do not correct the error, the results

does not go to user and another analysis and set of actions occur).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicole L. Allen whose telephone number is (571) 272-5830. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

6/26/06
David Vincent
Supervisory Patent Examiner

NLA